



UNIVERSAL POSTAL UNION
INTERNATIONAL BUREAU

Berne, 17 March 2004

Mr. Colin Powell
Secretary of State
U.S. Department of State
2201 C Street NW Washington, DC 20520
UNITED STATES OF AMERICA

Subject: Food and Drug Administration regulations

Dear Mr. Secretary of State:

This is regarding the new FDA regulations concerning the import of foodstuffs into the USA, and the difficulties experienced by users of the postal services worldwide in complying with these regulations.

The Universal Postal Union, a UN specialized agency, is an intergovernmental organization with 190 member countries. International mail services are provided in accordance with the Acts of the UPU. One of the basic principles of these Acts is the provision of a universal postal service and the facilitation of communication among the peoples of the world. The free circulation of postal items throughout the world, through an interconnected single postal territory, is an essential condition for the execution of the universal postal service obligation.

The new FDA regulations require senders abroad to obtain a 'prior notice number' from a FDA website prior to sending packages containing foodstuffs into the United States.

Most postal customers will not be able to get a prior notice number easily and without costly external assistance. Additionally, the prior notification system does not cater for all customers as it is only available in English. Getting information is also a problem for many customers living in the less developed countries where access to the Internet is not widespread. We also do not believe that such problems can be realistically solved at post-office counters. Many business mailers, particularly small businesses, would also face similar difficulties.

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Postal address	Headquarters	Telephone	Telefax	Postal giro account	Current bank accounts
Case postale	Weltpoststrasse 4	(+41 31)	(+41 31)	30-820-4	143996-61-10
3000 BERNE 15	BERNE	350 31 11	350 31 10		CREDIT SUISSE
SWITZERLAND	SWITZERLAND				90-208452.0
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Many technical difficulties such as unacceptably long response times, delays on the FDA helpline and a lack of status messages have been reported. Customers have entered data only to discover that the system is not working.

Express delivery service companies, which are represented in the UPU through an Advisory Group, have also reported difficulties in implementing the new regulations.

While we understand the need for greater security, we believe that the current requirements may be disproportionate and too burdensome for the average sender. The new regulations affect businesses that send food products to customers in the USA and cause serious difficulties for individuals sending packages containing food products to relatives and friends. Many American citizens living abroad wishing to send such packages to friends and families in the United States are also affected by these regulations.

The UPU seeks assistance from the State Department to remedy this situation. One possibility would be to have simplified procedures for mail. Another possibility would be to exempt packages with a value below a certain threshold, for example 200 dollars, from the requirements of these regulations. If required, the UPU is willing to work with any agencies or departments to develop a suitable set of procedures.

I thank you for any help the Department of State can offer in this matter.

Sincerely yours,

A handwritten signature in black ink, reading "Thomas E. Leavey". The signature is written in a cursive, flowing style with a large, stylized initial 'T'.

Thomas E. LEAVEY
Director General